



PUBLIC NOTICE

Federal Communications Commission
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Before the
Federal Communications Commission
Washington, D.C. 20554

PUBLIC NOTICE

Released: October 30, 2001

FEE DECISIONS OF THE MANAGING DIRECTOR AVAILABLE TO THE PUBLIC

The Managing Director is responsible for fee decisions in response to requests for waiver or deferral of fees as well as other pleadings associated with the fee collection process. A public notice of these fee decisions is published in the FCC record.

The decisions are placed in General Docket 86-285 and are available for public inspection. A copy of the decision is also placed in the appropriate docket, if one exists.

The following Managing Director fee decisions are released for public information:

Accipiter Communications, Inc. - MO&O - Request for Refund of filing Fee. DENIED. (October 2, 2001). See Request for clarification (Definition of "Study Area") 11 FCC rcd 8156, 8160-61 (CCB 1996).

Advanced Radio Telecom Corp. (ART) Waiver of Application Fees re pro forma transfer of control. GRANTED. (August 28, 2001). [See Section 1.1117 of the Commission's rules, 47 C.F.R. Section 1.1117].

Aerco Broadcasting Corp. - Application for Review for waiver of late charge penalty. DENIED. (July 25, 2001). See Section 9(c)(1) of the Act. See also Section 1.1158 of the Commission's Rules.

Astrolink International LLC - Request for Partial Waiver and Refund of Application Fees for transfer of control of Astrolink from Lockheed Martin Global Telecommunications, Inc. (LMGT) and TRW, Inc. to LMGT, TRW, LSAT Astro LLC and Telespazio Luxembourg, S.A. DENIED. (August 28, 2001). [See FCC 01-189, released June 21, 2001]

Beartooth Communications Company (KTVH TV) - Request for Refund of Application Fee for station KTVH(TV) in Helena, Montana. DENIED. (August 28, 2001). [See Establishment of a Fee Collection Program to Implement the Provisions of the Consolidated Omnibus Budget Act of 1985, 2 FCC Rcd 947, 949 (1987). {See also Conference Report to Accompany H.R. No. 386, 101st Cong., 1st Sess. 20-28 (1989); reprinted in the Cong. Rcd. Of November 21, 1989.

Cartwright Communication Technology, Inc. - Waiver, refund and clarification of FY 1997 Regulatory Fees associated with Stations WNMG356 and WPAD665. DENIED. (June 28, 2001). [See Omnibus Budget Reconciliation Act of 1993, Pub. L. No. 103-66, Title VI, Section 6002(b), 107 Stat. 312, 392 (1993).

Central Ozark Radio Network, Inc. - Request for Review and Refund of Regulatory Fees for FY 1999 for station KUPH(FM) in Mountain View, Missouri. GRANTED. (June 28, 2001). [See Assessment and Collection of Regulatory Fees for Fiscal Year 1999, 14 FCC Rcd 9868, 9929 (1999).

Clearwater Enterprises, Ltd. (WAXT-FM) - Petition for Reconsideration to waive the FY 1997 regulatory fees for Stations WHBU(AM), Anderson IN, and WAXT(FM), Alexandria, IN. GRANTED. (June 28, 2001). [See Implementation of Section 9 of the Communications Act, 9 FCC Rcd 5333, 5346 (1994); recon. Granted, 10 FCC Rcd 12759 (1995).

EchoStar Satellite Corporation - Request for Reduction of Regulatory Fee for FY 1999. DENIED. (August 28, 2001). [See Assessment and Collection of Regulatory Fees for Fiscal Year 1999.

First Radio, Inc. (WLLK-FM) - Request for Refund of Application Fee for station WLLK(FM) in Somerset, Kentucky. DENIED. (July 25, 2001). [See 47 C.F.R. Section 1.1109(d).

Gentile, Joseph J., Inc. - Request for Reduction and Refund of FY 1999 Regulatory Fee for Station WJIG(AM) in Elmhurst, IL. DENIED. (July 24, 2001). [See Assessment and Collection of Regulatory Fees for FY 1999, Report and Order, MD Docket No. 98-299, FCC 99-146, Attachments D & F (adopted June 11, 1999, released June 18, 1999) 47 C.F.R. Section 1.1153(4).

Glenwood TV Association - Request for Waiver of Regulatory Fees for FY 1993 & 1997 for Glenwood TV Association in Glenwood, Washington. GRANTED. (June 28, 2001). [See Implementation of Section 9 of the Communications Act, FCC 95-257, Page 9, released June 22, 1995.

GST Telecom, Inc. - Request for Waiver of FY 2000 Regulatory Fee late penalty charge. GRANTED. (July 9, 2001). [See Implementation of Section 9 of the Communications Act, 10 FCC Rcd 12759, 12762 (1995).

KN Energy, Inc. - Fee determination, waiver and refund of applications to assign POFS microwave station licenses from Cardinal Acquisition Corporation to KN Energy. DISMISSED (June 6, 2001). See 47 U.S. C. §158(d)(2); Establishment of a Fee Collection Program to Implement the Provisions of the Consolidated Omnibus Budget Reconciliation Act of 1985.

KRZI, Inc. - Request for Waiver of FY 2000 Regulatory Fee for stations KRZI-AM, KLRK-FM, and KRZX-AM. DENIED. (June 28, 2001) [See Implementation of Section 9 of the Communications Act, 9 FCC Rcd 5333, 5346 (1994); recon. Granted, 10 FCC Rcd 12759 (1995).

KTCS-FM - Request for waiver of Regulatory Fees for FY 2000 for KTCS-FM, Fort Smith, Arkansas. DENIED. (June 28, 2001). [See Assessment and Collection of Regulatory Fees for Fiscal Year 2000, 15 FCC Rcd 14478, 14544 (2000).

McLain, Billy (WFXO) - Request for waiver of FY 1999 Regulatory Fee. DENIED (June 28, 2001).

Metrocall, Inc. - Request for Refund of Filing fees for a transfer of control. GRANTED. (April 26, 2001). [Federal Communications Bar Association's Petition for Forbearance from Section 310(d) of the Communications Act Regarding Non-Substantial Assignments of Licenses and Transfers of Control Involving Telecommunications Carriers, 13 FCC Rcd 6293 (1998) (Forbearance Order).

Metropolitan Radio Group (WBRD-AM) - Request for Reduction and Refund of FY 1999 Regulatory Fee for station WBRD(AM) in Palmetto, FL. DENIED. (July 24, 2001). [See Assessment and Collection of Regulatory Fees for Fiscal Year 1999, Report and Order, MD Docket No. 98-299, FCC 99-145, Attachments D & F (adopted: June 11, 1999; released June 18, 1999), 47 CFR Section 1.1153(2).

NCHE Telecommunications Network, Inc. - Petition for Reduction of Regulatory Fees for FY 1999. DISMISSED. (July 24, 2001). [See Assessment and Collection of Regulatory Fees for FY 1999, 14 FCC Rcd 9868, 9939 (1999)].

New Haven Parking Authority - Request to reclassify entity as a governmental entity for purposes of its application filing. DENIED. (June 28, 2001). [See 47 C.F.R. Section 1.1112(a)(2) and (c), and 1.1161(a)(2) and (c).

Pappas Concord Partners (KTNC(TV)) - Request for Reduction of Regulatory Fees for FY 1998 and waiver of penalty. DISMISSED. (July 9, 2001). See Television & Cable Factbook.

Radio Palouse, Inc. - Request for Refund of Application Fee for new FM station in Pullman, Washington. DENIED. (June 6, 2001). [See Implementation of Section 309(j) of the Communications Act, 13 FCC Rcd 15920, 15939, page 49 (1999).

Sempra Energy (KN Energy) - Fee Determination, waiver, and refund for application filing for Stations from Cardinal Acquisition Corporation to KN Energy, Inc.. DENIED. (June 6, 2001). [See, generally, Implementation of Section 9 of the Communications Act, 9 FCC Rcd 5333, 5346 (1994), on recon, 10 FCC Rcd 12759 (1995).

Solomon Valley Broadcasting, Inc. former licensee of **KVSV AM/FM** - Petition for Reconsideration to waive the late charge penalty for FY 1998 regulatory fees for Station **KVSV AM/FM** in Beloit, Kansas. **GRANTED.** (June 28, 2001).

Spain, Frank K. (KBJY-FM) - Request for Refund of Application Fee for radio Station **KBJY-FM** in Ennis, Montana. **GRANTED.** (June 6, 2001). Filing fee was redesignated as a minor change application.

Stone Communications, Inc. (WJML) - Request for Waiver of Application Fee for station **WJML**, Petosky, Michigan. **DISMISSED.** (June 28, 2001).

TSR Wireless - Petition for Chapter 7 Trustee Waiver and Deferral of Application Filing Fee. **GRANTED.** (July 17, 2001).

WBFJ-AM - Request for Clarification of Station Class for station **WBFJ-AM**, Winston-Salem, NC. Station classification is Class "D".

WDCT - Request for Waiver of FY 1999 Regulatory Fees for Station **WDCT** due to type of broadcast. **DENIED.** (June 6, 2001).

Webster Cable & Communications, Inc. - Request for Waiver of FY 2000 Regulatory Fee. **GRANTED.** (June 28, 2001). [See Implementation of Section 9 of the Communications Act, 9 FCC Rcd 5333, 5346 (1994); recon. Granted. 10 FCC Rcd 12759 (1995).

Western Wireless Corporation - Request for Refund of filing fee for Complaint of Western Wireless Corporation v. Consolidated Telephone Cooperative. **DENIED.** (June 6, 2001). [See Conference Report to Accompany H.R. No. 386, 101st Cong. 1st Sess. 20-28 (1989).

WFTV-TV, Inc. - Request for Refund of a filing fee for auxiliary stations. **GRANTED.** (July 9, 2001). [See Streamlining the Commission's Antenna Structure Clearance Procedure, FCC 00-76, para. 8, n. 39 (Mar. 8, 2000).

Wheeling Power Company (WPC) - Request for Waiver and Refund of Filing Fee for Station **KQK92**. **DENIED.** (June 28, 2001). [See 47 U.S.C. Section 158(d)(2); Establishment of a Fee Collection Program to Implement the Provisions of the Consolidated Omnibus Budget Reconciliation Act of 1985, 2 FCC Rcd 947, 961 (1987); 47 C.F.R. Section 1.1117.

WIQO-FM (The Radio Center) - Request for Waiver of Regulatory Fees for FY 1999 & 2000 for **WIQO-FM**, Covington, Virginia. **DENIED.** (June 28, 2001). [See Assessment and Collection of Regulatory Fees for Fiscal Year 2000, 15 FCC Rcd 14478, 14538 (2000) (noting radio station fee categories for FY 1999 and 2000)].

WLLY Partnership - Request for Waiver of FY 2000 Regulatory Fee for Station **WLLY-AM** in Wilson, North Carolina. **GRANTED.** (August 28, 2001).

Zwerling Broadcasting System, Ltd. (KSCO- AM & KOMY-AM) - Request for Waiver of the FY 1999 Regulatory Fees for two radio stations. **DENIED.** (June 28, 2001). [See 47 U.S.C. Section 159(c) and 47 C.F.R. 1.1164.

Zwerling Broadcasting System, Ltd (KSCO-AM & KOMY-AM) - Request for Waiver of the FY 2000 Regulatory Fees for two radio stations. **DISMISSED.** (June 28, 2001).

NOTE: ANY QUESTIONS REGARDING THIS REPORT SHOULD BE DIRECTED TO THE REVENUE AND RECEIVABLES OPERATIONS GROUP AT (202) 418-1995.